

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Elazar Rabbani et al.

Serial No. 08/978,636

Group Art Unit: 1635

Filed: November 25, 1997

Examiner: Mary M. Schmidt

AUG 26 1999

Title: NON-NATIVE POLYMERASE ENCODING NUCLEIC  
ACID CONSTRUCT (As Previously Amended)

TECH OF 1600/2900

**FILED BY FIRST CLASS MAIL**

Honorable Commissioner of  
Patents and Trademarks  
Washington, D. C. 20231



**COPY**

Sir:

Transmitted herewith is an Amendment Under 37 C.F.R. § 1.115 (In Response To The February 18, 1999 Office Action) in the above-identified patent application. The fee\* has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total	16	Minus	39	0=	X\$9.00	\$ 0
Indep	2	Minus	3	0=	X\$39.00	\$ 0
( )	First Presentation of Multiple Dependent Claims				\$130.00	\$
	TOTAL ADDITIONAL FEE					\$ 0

\*Small entity status was previously established in this application and is still applicable.

( ) Charge Deposit Account No. 05-1135 in the amount of \$ \_\_\_\_\_

( ) A check in the amount of \$ \_\_\_\_\_ is attached.

(X) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1135 any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims and any patent application processing fees under 37 C.F.R. §1.17.

Copies are being provided in triplicate.

Also enclosed: Request For An Extension Of Time (Three Months); Second Amendment In Connection With Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures Under 37 CFR §§1.821-1.825; Communication Directed To Notice To Comply With Sequence Rules; Initial Paper Copy of the Sequence Listing; Computer Readable Form copy of the Sequence Listing; Declaration Under 37 CFR §1.821(g)

Respectfully submitted,

Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

August 18, 1999  
Date

ENZO THERAPEUTICS, INC.  
c/o Enzo Biochem, Inc.  
527 Madison Avenue (9th Fl.)  
New York, New York 10022  
Tel. (212) 583-0100  
Attorney's Docket No.: Enz-53(D3)  
lc:TransmittalAmendment ENZ53 D5 081699

**FIRST CLASS CERTIFICATE**

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks Washington, D.C. 20231

AUG 18 99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elazar Rabbani et al.  
Serial No. 08/978,636  
Filed: November 25, 1997  
Title: NON-NATIVE POLYMERASE ENCODING  
NUCLEIC ACID CONSTRUCT (As  
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Group Art Unit: 1635  
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527 Madison Avenue, 9th Floor  
New York, New York 10022  
August 18, 1999

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Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231



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AUG 26 1999

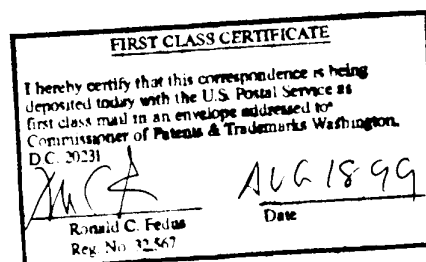
Attention: Box Sequence

**COMMUNICATION DIRECTED TO NOTICE  
TO COMPLY WITH SEQUENCE RULES**

Dear Sirs:

This Communication is directed to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures referenced in the Office Action issued February 18, 1999 which issued in connection with the instant application. While a copy of the Notice was not attached to Applicants' copy of the aforementioned Office Action, Applicants hereby submit the following documents or items:

1. a substitute paper copy of the Sequence Listing;
2. a Second Amendment directing entry of the Sequence Listing into the specification;
3. a computer readable form (CFR) copy of the substitute Sequence Listing; and



ENZ-53(D3)

Elazar Rabbani et al.

Serial No. 08/978,636

Filed: November 25, 1997

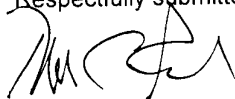
Page 2 (Communication Directed to Notice to Comply With Sequence Rules -  
August 18, 1999)

4. a Declaration Under 37 C.F.R. §1.821(g) attesting that the content of the paper copy and computer readable copy are the same and include no new matter.

No fee is believed due in connection with this Communication or the documents or items submitted herewith other than the fee payment authorized in the Request For an Extension Of Time (Three Months Under 37 C.F.R. §1.136(a)). If any other fee or fees are due, however, the Patent and Trademark Office is hereby authorized to charge the amount of any such fee to Deposit Account 05-1135, or to credit any overpayment thereto.

If helpful to processing this Communication, the undersigned may be contacted by telephone at (212) 583-0100 during the daytime hours.

Respectfully submitted,



Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

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527 Madison Avenue (9<sup>th</sup> Fl.)  
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